BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company Associated with the San Onofre Nuclear Generating Stations 2 and 3.	Investigation 12-10-013 (Filed October 25, 2012)
And Related Matter.	Application 13-01-016 Application 13-03-005 Application 13-03-013 Application 13-03-014

RESPONSE OF THE OFFICE OF RATEPAYER ADVOCATES TO AUGUST 5, 2015 RULING AND ORDER TO SHOW CAUSE OF ADMINISTRATIVE LAW JUDGE MELANIE DARLING

I. INTRODUCTION AND SUMMARY

Pursuant to the directions of Administrative Law Judge Darling (ALJ) in Ordering Paragraph 2 of the Amended Administrative Law Judge's Ruling Finding Violations of Rule 8.4, Requiring Reporting of Ex Parte Communications, and Ordering Southern California Edison Company to Show Cause Why It Should Not Also be Found In Violation of Rule 1.1 and Be Subject to Sanctions for All Rule Violations, dated August 5, 2015 (Ruling), the Office of Ratepayer Advocates (ORA) provides this response to the Ruling and to the Order to Show Cause addressed to Southern California Edison Company (Edison).

ORA is concerned not only with the integrity and fairness of this proceeding but also with the fairness and impartiality of the California Public Utilities Commission's (Commission) proceedings in general. The Commission has made recent laudable efforts to assure parties and the public of its efforts to bring fairness and transparency to its proceedings and decision-making, including a great deal of focus on the proper application of its ex parte rules. However, this Ruling does not support those efforts

because it ignores the plain language of the statute underlying the Commission's ex parte rules. If the Commission adopts certain of the interpretations of the ex parte rules provided in the Ruling, as discussed below, it will seriously set back its current efforts to bring fairness and impartiality to all of its proceedings.

The Ruling found ten inappropriate communications and two instances of misleading the Commission in violation of Rule of Practice and Procedure (Rules) 1.1., and ordered Edison to show cause as to why it should not be penalized. ORA is disappointed, however, that the Ruling finds certain other practices to be legal despite the plain language of Section 1701.3(c), which prohibits ex parte contacts between parties and Commissioners, except for clearly defined statutory exceptions. ORA's biggest concern is that the Ruling gives carte blanche to one way communications and unscheduled meetings between decisionmakers and parties and interprets nonsubstantive communications overbroadly, including matters which in ORA's view should be considered as substantive communications. If upheld by the Commission, these practices and interpretations will not comply with the ex parte statute.

These practices not only violate the law, they constitute a fundamental denial of due process to the parties that intervened in these consolidated proceedings. The Ruling upholds practices which in the view of the Commission's own expert consultant violate current law.[1]. Furthermore, the Ruling does not explain how to reconcile the fact that the SONGs Settlement approved by the Commission arose from a tainted process involving a decision maker and Edison, a primary participant to the negotiations. It is because of the extent and nature of the ex parte violations that occurred between Edison executives and CPUC decisionmakers which pervades the SONGS settlement, that ORA took the step of filing its Petition for Modification to set aside the Settlement. [2]

[1] Report to the California Public Utilities Commission Regarding Ex Parte Communications and Related Practicess, Michael J. Strumwasser, Strumwasser & Woocher, June 22, 2015. See, for example, pp. 137-139.

[2] Office of Ratepayer Advocates' Petition for Modification of D.14-11-040, August 11, 2015.

Therefore, ORA recommends:

- All ex parte violations, identified by correctly applying the law as explained below, be sanctioned to the maximum extent allowed by law.
- The Settlement Agreement entered into by Edison, San Diego Gas & Electric Company (SDG&E), The Utility Report Network (TURN), Friends of the Earth, the Coalition of California Utility Employees and ORA and adopted by the Commission in Decision (D.)14-11-040 be rescinded by the Commission due to the ex parte law violations.
- The Phase 1 Proposed Decision should be placed before the Commission as soon as possible.
- A Phase 2 Proposed Decision should be prepared as quickly as possible based on the record already completed.
- A Prehearing Conference should be scheduled in Phase 3 as soon as practicable to establish an appropriate timeline.

II. THE RULING UPHOLDS PRACTICES THAT ARE INCONSISTENT WITH PUBLIC UTILITIES CODE SECTION 1701.3(c).

ORA has previously brought to the Commission's attention that certain practices engaged in by Edison are inconsistent with Public Utilities Code section 1701.3(c)'s prohibition against private ex parte communications between decisionmakers and interested persons in ratesetting cases that require hearings.[3] ORA notes that the consolidated dockets for this phase of the SONGS proceeding are categorized as ratesetting and it was determined that hearings were required. [4] Thus, as shown below, ex parte communications are prohibited, unless a specific exception applies. The Ruling has no basis in the statute for finding certain communications are not covered by the ex

[3] See, e.g., Motion of the Office of Ratepayer Advocates for an Interim Ban on Communications Between Southern California Edison Company and the California Public Utilities Commission Regarding the San Onofre Nuclear Generating Station Order Instituting Investigation, May 7, 2015 (May 7 ORA Motion) at 3-4; Reply to the Response of Southern California Edison Company to May 7 ORA Motion at 2-3; Alliance for Nuclear Responsibility's Petition for Modification of D. 14-11-040, April 27, 2015 at 2-3.

[4] Scoping Memo and Ruling of Assigned Commissioner and Administrative Law Judge Determining the Scope, Schedule, and Need for Hearing in Phase 1 of this Proceeding, I. 12-10-013, January 28, 2013 at 10; Assigned Commissioner's and Administrative Law Judges' Ruling Determining the Phase 2 Scope and Schedule, I. 12-10-013 et seq, July 31, 2013 at 4 and 6.

parte law because only the decisionmaker speaks or there was no scheduled meeting. Further, the Ruling's interpretation of nonsubstantive communications is overbroad.

The statute provides:

> "Ex parte communications are prohibited in ratesetting cases. However, oral ex parte communications may be permitted at any time by any commissioner if all interested parties are invited and given not less than three days' notice. Written ex parte communications may be permitted by any party provided that copies of the communication are transmitted to all parties on the same day. If an ex parte communication meeting is granted to any party, all other parties shall also be granted individual ex parte meetings of a substantially equal period of time and shall be sent a notice of that authorization at the time that the request is granted. In no event shall that notice be less than three days. …"[5]

Thus, ex parte communications in ratesetting cases are prohibited with limited exceptions. The two main exceptions are generally known to the Commission, its staff and practitioners as "all party" and "equal time".

The statute also defines an ex parte communication:

> (4) "Ex parte communication," for purposes of this article, means any oral or written communication between a decisionmaker and a person with an interest in a matter before the commission concerning substantive, but not procedural issues, that does not occur in a public hearing, workshop, or other public proceeding, or on the official record of the proceeding on the matter. "Person with an interest," for purposes of this article, means any of the following:
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> (A) Any applicant, an agent or an employee of the applicant, or a person receiving consideration for representing the applicant, or a participant in the proceeding on any matter before the commission.
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> (B) Any person with a financial interest, as described in Article 1 (commencing with Section 87100) of Chapter 7 of Title 9 of the Government Code, in a matter before the commission, or an agent or employee of the person with a financial interest, or a person receiving consideration for representing the person with a financial interest.
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> (C) A representative acting on behalf of any civic, environmental, neighborhood, business, labor, trade, or similar organization who intends to

[5] Pub.Util. Code §1701.3(c) (emphasis added).

influence the decision of a commission member on a matter before the commission.

The commission shall by regulation adopt and publish a definition of decisionmakers and persons for purposes of this section, along with any requirements for written reporting of ex parte communications and appropriate sanctions for noncompliance with any rule proscribing ex parte communications. The regulation shall provide that reportable communications shall be reported by the party, whether the communication was initiated by the party or the decisionmaker. Communications shall be reported within three working days of the communication by filing a "Notice of Ex Parte Communication" with the commission in accordance with the procedures established by the commission for the service of that notice. The notice shall include the following information:

(i) The date, time, and location of the communication, and whether it was oral, written, or a combination.

(ii) The identity of the recipient and the person initiating the communication, as well as the identity of any persons present during the communication.

(iii) A description of the party's, but not the decisionmaker's, communication and its content, to which shall be attached a copy of any written material or text used during the communication.[6]

Edison asserts that since, under the last provision, a party does not report what the decisionmaker said, the communication between the decisionmaker and the party ceases to be a communication and thus there is nothing to report under the ex parte rules.[7] From a disclosure standpoint it is as though the contact never happened. The Ruling supports Edison's view. There is nothing in the statute, however, to support the view that a substantive communication from a decisionmaker to a party in a ratesetting case subject to hearings is not prohibited, or if made, does not need to be reported.

This argument takes what would be an unlawful communication in any decisional forum – a decisionmaker providing one way information to an interested party or parties

[6] Pub. Util. Code §1701.1(b)(4), emphasis added.

[7] Response of Southern California Edison Company to the Motion of the Office of Ratepayer Advocates, May 13, 2015 at 3-4. This is Edison's response to ORA's request for an ex parte ban in these consolidated proceedings.http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M152/K917/152917114.PDF

and/or their representatives about potentially critical matters related to an active proceeding –and posits that if the recipient of what the decisionmaker says says nothing in return, there is nothing reportable. Not only does this interpretation not comply with the statute, which in section 1701.3(c) clearly prohibits communications between decisionmakers and parties except for specified exceptions, but section 1701.1(c) (4) makes any communication between a decisionmaker and an interested person reportable in writing. It does not provide any exception for one way communications between a decisionmaker and an interested party. It does not say there has to be a two way communication for there to be a reportable contact. Thus, even if the substance of what the decisionmaker said is not reportable under section 1701.1(c)(4)(C)(iii), the fact that the communication from the decisionmaker to the interested person took place is still a reportable event.

Moreover, the law is clear that there can be no oral communications between a decisionmaker and an interested person in a ratesetting case subject to hearings, as the SONGS proceeding was, unless it is an 'all-party' meeting noticed at least three days in advance or one that generates an 'equal time' obligation, with concomitant reporting requirements. Such contacts are prohibited and the statute requires appropriate sanctions for "noncompliance with any rule proscribing ex parte communications". There is no exception in the statute for so-called 'listen only' mode of communications, even assuming there is strict compliance with 'listen only' mode and the recipients of the decisionmaker's information do not in any way communicate back.

Another incorrect interpretation of the statute that was seemingly actively used by Edison in this proceeding is related by Edison as follows:

> As SCE has previously explained, Rule 8.3(c)(2) entitles a party to an equal time meeting only when the decisionmaker "grants" an ex parte meeting. Read in context, the rule makes clear that a decisionmaker "grants" a meeting only in response to a party's "request" for a meeting. When a party does not request a meeting, but instead the communication is initiated by the decisionmaker, there has been no "grant" of a meeting within the meaning of the equal time rule.[8]

[8] Id. at 4.

Again, acceptance of Edison's interpretation creates a giant loophole, inconsistent with the Legislature's intent to prohibit all contacts in ratesetting cases subject to hearing except for the three specified exceptions. This loophole is illegal. So, while ex parte communications in ratesetting cases are prohibited except for "all party" or "equal time" meetings, practices have been allowed that are inconsistent with the ex parte statute. If an utility executive doesn't request a meeting but just happens to run into a decisionmaker and have a conversation about the substance of a ratesetting proceeding, this does not escape the reach of the statute. At a minimum, it will still trigger equal time and reporting requirements. In fact, the release of internal Edison e-mails ordered by the ALJ in this proceeding,[9] which formed the basis for ORA's request for an ex parte ban, which was denied by the Ruling, are filled with references to meetings that were not formally requested or formally granted, but just happened (e.g., a knock on the door to provide some information, a conversation at an event). These impromptu, unscheduled meetings can become important, substantive exchanges of information that, based on Edison's interpretation, never happened for purposes of either prohibition or reporting under the statute. The Commission must find that the law prohibits such practices, or fundamental due process will be denied to other parties denied to the ratesetting proceedings.

The element of the statute that allows an exemption for "procedural" rather than substantive communications[10] is also of concern. The Commission's ex parte rules define the types of procedural elements are exempt from ex parte communications:

> Communications regarding the schedule, location, or format for hearings, filing dates, identify of parties, and other such nonsubstantive information are procedural inquiries, not ex parte communications.[11]

[9] Southern California Edison Company's Response to Administrative Law Judges Ruling, April 29, 2015.

[10] Pub. Util. Code §1701.1(b)(4).

[11] Rule 8.1(c).

This is an important procedural protection and "other such nonsubstantive information" should not be broadly interpreted. If the Commission does so, it will likely undermine the prohibition against substantive communications in ratesetting proceedings.

The Ruling discusses the law regarding ex parte communications, correctly stating "Section 1701.3(c) and Rule 8.3(c) prohibit ex parte communications in a ratesetting proceeding except subject to certain restrictions and reporting requirements" and describing, basically correctly, what the restrictions are.[12] The Ruling also correctly describes the purpose of the ex parte rules, noting that "improper ex parte communications by parties and interested persons can taint the regulatory process…" and "[i]n essence, the ex parte rules stand for fairness, and are meant to ensure that all interested sides will be heard on an issue to be decided by the Commission."[13] However, for the reasons discussed above, ORA objects to the Ruling's determination that one-way communications are exempt from the ex parte law.

A. Unreported One-Way Communications Violate the Statute.

The Ruling states:

> The plain language of Rule 8.4, as well as the underlying policy of preventing unilateral influence on a decisionmaker by a party or interested person, supports SCE's view that comments by a decisionmaker are not required to be reported. Such comments standing alone, do not meet the commission's definition of "ex parte communication" because they are not "between" a party and a decisionmaker, even if the decisionmaker's comments concern otherwise "substantive" issues. Nor would disclosure serve fairness, because no party's position was offered to influence the decisionmaker outside the awareness of other persons. Therefore, disclosure would not serve public policy, nor is it currently required by either §1701.3(c) or Rule 8.4.[14]

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[12] Id. at 19-20.

[13] Id. at 21.

[14] Ruling at 25-26. It should also be noted that there is some belief that since you are not supposed to report what a decisionmaker says, such a meeting has nothing to report. ORA believes other parties would be very interested in what can be reported: the proceeding, the date, the duration, the general subject matter and the participants. That would not, however alleviate the problem that such a meeting without an equal time requirement would be unlawful.

This analysis is not supported by the underlying statute as discussed above. The Commission should not uphold this loophole. Instead, it should reject the argument that the practice of one way communications from a decisionmaker to an interested person is exempt from the ex parte statute. Influencing the decisionmaker is not the only public policy concern with ex parte contacts. Another basic concern is fairness and due process to parties in contested proceedings. Finding that one way communications are not ex parte communications would undermine the Legislature's intent in adopting a prohibition on ex parte contacts in ratesetting matters such as the SONGS application.
It also, most significantly, allows an after-the-fact exclusion from reporting an unlawful communication that could not have been arranged in the first place. That is, since the only meeting exceptions to the ex parte prohibition in ratesetting proceedings per section 1701.3(c) are all party meetings or equal time meetings, a meeting between a decisionmaker and a party needs to fall into one of these categories. Assuming that that only one party talked does not remove it from the statutory definition of being a communication between the decisionmaker and a party. This is akin to allowing an exemption for a judge in a civil or criminal court taking one counsel aside and telling them the direction their cross examination should take or providing other key strategic advice. This reasoning does not comport with fundamental due process and procedural fairness.

B. The Ruling Improperly Broadens Definition Of Nonsubstantive Information.

The Ruling adopts an overbroad interpretation of substantive versus nonsubstantive communications. In dealing with the subject of "substantive topics" the Ruling ignores the dichotomy established by the statute. The dichotomy is "substantive" versus "procedural."[15] "Procedural" is defined in the Commission's ex parte rules to be relatively narrow in scope, including: "schedule, location, or format for hearings, filing dates, identify of parties, and other such non-substantive information…"[16] Language

[15] Pub. Util. Code § 1701.1(c)(4).

[16] Rule 8.1(c).

providing "other such nonsubstantive information" cannot be interpreted as an open-ended invitation for unlimited expansion for do so would be to negate the legislative intent in setting up an exception for procedural contacts only. Information about "what various agencies were doing regarding the SONGS shutdown", "efforts to navigate the NRC's process for handling SCE's restart request", "communications SCE identified as 'notice' of its decision to permanently shut down SONGS…", directions from a commissioner's chief of staff "to move quickly to address cost recovery and other shutdown issues"[17] are all found to be non-substantive. This is inconsistent with the statute. These communications are substantive and intended to provide information influencing the decisionmaker.

The Ruling also creates entire new categories of what is subject to reporting and what is not, utilizing criteria that is not found in the sections related to ex parte communications in the Public Utilities Code or the Rules. For example, the Ruling states Edison's President Litzinger "called or left messages with Commissioners to notify them that SCE had signed a settlement agreement with other parties for the SONGS OII and directed them to SCE's publicly filed 8-K for the details." The Ruling states that "contemporaneous e-mails support that no specifics of the agreement were provided or discussed." The Ruling's basis for finding these contacts to be non-substantive information is "whether the 'notice' involves an objective, non-justiciable fact or is a subjective interpretation and argument meant to influence."[18] This exception is not found in the ex parte statute or rule and therefore should not be adopted by the Commission.

Announcing a settlement, referring to an Securities and Exchange Commission (SEC) Form 8-K, or expressing "mutual thanks" in a proceeding where the settlement was contested, appears to ORA to go beyond procedural/nonsubstantive. It seems intended to influence decisionmakers. The fact that SCE was required to report it to the Securities and Exchange Commission in a Form 8-K establishes that it was, almost by

[17] Ruling at 27-29.

[18] Id. at 30-31

definition, not procedural or otherwise insignificant.[19] Other parties to the SONGS proceeding should have been provided notice of these communications.

Finally, the Ruling discusses items that were acknowledged to be substantive but outside the scope of the SONGS OII. Given the inventory of items discussed, the scope of the SONGS OII and the question of SONGS overall status at the time, it is hard to imagine that questions by President Peevey to Edison executives about the absence of Greenhouse House Gas impacts from the SONGS settlement (May 2, 2014) and LA Basin reliability (April 5, 2013), the two items noted, are not reportable as substantive communications.[20] They both appear, however, to bear on elements involved with the Settlement – one pertaining to something missing from the Settlement and the other as to potential SONGS shutdown impacts.

ORA notes that in a proceeding some years ago the Commission was faced with two complaint cases involving a telecommunications issue. As with all complaint cases, ex parte communications were prohibited. Employees of one of the companies involved scheduled meetings with Commissioners and advisors in an effort to urge them to initiate a rulemaking that would, in effect, circumscribe the complaint cases' subject matter. While they had available to them the ability under the Code to file a petition for rulemaking[21] (a fully public approach) they used what was determined to be unlawful ex parte communications to persuade the Commission to enact the rulemaking and, effectively, nullify the complaints. The Commission found these to be improper ex parte communications and fines of $40,000 were imposed on each of the utilities involved. There was one dissent from the decision – then President Michael Peevey.[22] Thus, the

[19] "In addition to filing annual reports on Form 10-K and quarterly reports on Form 10-Q, public companies must report certain material corporate events on a more current basis. Form 8-K is the "current report" companies must file with the SEC to announce major events that shareholders should know about." SEC website at http://www.sec.gov/answers/form8k.htm.

[20] Ruling at 31-32.

[21] Pub. Util. Code §1708.5.

[22] D. 07-07-020, July 12, 2007.

Commission determined that the communications under the guise of one docket could not be used to evade reporting – or compliance with a prohibition – in another docket.

Unfortunately, no reports of ex parte contacts means that other parties to a contested proceeding are denied a chance to respond to the information given, by either the decisionmaker or the party, or at a minimum, have equal access to information about the case. It is necessary to remember that it has only been through the ordered release and review of internal Edison communications, where Edison employees tell each other what they did and who they talked to, that parties have learned of these transgressions. The honor system, on which the ex parte rules currently depend, failed in this case.

III. ORA'S RECOMMENDATIONS FOR COMMISSION ACTION

Prior to the release of the Ruling, ORA was reluctant to step away from the settlement adopted in D.14-11-040. ORA took no formal action in response to the Petition for Modification filed by A4NR – either to express continuing support or to step away.

ORA instead issued a press release, reciting the history that brought these proceedings to that point and discussing the Hotel Bristol notes and ORA's analysis of them relative to the adopted settlement. ORA then stated:

> However, ORA cannot honestly say that it got the best deal for ratepayers. Edison was likely able to use its knowledge of Peevey's position to steer the settlement in the direction it wanted. While ORA believes it worked to strike a good deal for ratepayers based on legal precedents, we are troubled by the possibility that we might have been able to strike a better deal.
>
> Conversely, to simply undo the SONGS settlement would not be beneficial to ratepayers. The settlement resulted in a cost savings of $1.4 billion for utility customers -- $1.12 billion for Edison customers and $286 million for SDG&E customers. Customers are not currently required to pay for the defective replacement steam generators as of the date they ceased operating on February 1, 2012. Customers are, however, required to pay the costs associated with SONGS during the time the plant was operable and for other costs not related to the defective replacement steam generator. Separately, customers have paid into a decommissioning trust fund for several decades that will cover the costs to decommission SONGS.

> The process for fair dealings at the CPUC had been severely compromised. But to simply invalidate the settlement and go back to the hearing room would essentially give Edison the opportunity to litigate for an outcome that may be worse than the settlement. Edison should not be given a second bite at the apple. But if the CPUC were to scrap the SONGS settlement, ORA is prepared to vigorously litigate for a better outcome.
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> Alternately ORA recommends, at a minimum, Edison be sanctioned and required to return to ratepayers an additional $648 million, which represents the difference between ORA's original litigation position and what the settlement provided. Furthermore, as more information is developed in the investigation that determines the extent to which Edison worked to mislead the CPUC by artifice or false statements, Edison should be further sanctioned."[23]

The comparison of ORA's original litigation position ($1,923 million) with the Settlement ($2,571 million) can be found in Attachment 2 of the Settlement, on the Edison Summary Table.[24] This difference is $648 million in present value revenue requirement.

As the record is now clear, and set forth in the Petition for Modification ORA filed on August 11, 2015:

> ORA was extraordinarily troubled by the revelations of ex parte communication violations and, in fact, filed its own motion to bar any future ex parte communications by any parties for any purpose in the proceeding. ORA believed then, as it does now, that the appropriate way to address the massive and pervasive violations is to extract sufficient financial concessions (not limited to penalties that would inure to the State of California) that would remove any conceivable benefit Edison might have achieved as a result of the unlawful communications. ORA believes that the additional appropriate amount that should flow from Edison to ratepayers should be at least $648 million, the difference between the

[23] ORA Director Joe Como Response to Conduct by Southern California Edison and Former CPUC President Michael Peevey to Undermine the SONGS Settlement Process, Press Release issued April 17, 2015, contained in the record of this proceeding as Attachment 3 to A$NR's Petition for Modification, April 27, 2015.

[24] Joint Motion of Southern California Edison Company, San Diego Gas & Electric Company, The Utility Reform Network, The Office of Ratepayer Advocates, Friends of the Earth, and the Coalition of California Utility Employees For Adoption of Settlement Agreement, April 3, 2014, Attachment 2, SCE Summary Table.

> settlement amount and ORA's initial litigation position prior to the state of settlement negotiations.
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> ORA therefore determined that it would not join the effort to reject the settlement, but rather reluctantly honor its commitment to support the settlement. However, circumstances have since changed and ORA now takes the position that ratepayers and the public generally are better served by allowing ORA, TURN, A4NR and other consumer groups to work towards a litigated outcome for all issues in the SONGS investigation docket. Based on the August 5, 2014 ALJ Amended Ruling, it does not appear possible that ORA can achieve the amount of reimbursement it believes would compensate ratepayers for Edison's unlawful activities that undermined the SONGS settlement negotiations.[25]

The Ruling fails to recognize as illegal, practices that have been shown herein and by previous petitions and motions to violate the ex parte statute. Instead, the Ruling establishes the view that such practices are business as usual, and summarily denies "all other pending requests for disclosures by SCE, discovery, or imposition of particular sanctions". This Ruling and Order to Show Cause will not begin to compensate ratepayers for the unlawful activities that tainted and undermined the SONGS settlement negotiations. Therefore, ORA is left with no choice but to reject the Settlement and urge the Commission to do the same.

ORA therefore supports the recommendation by The Utility Reform Network (TURN)[26] that if the Commission overturns its decision to accept the SONGS settlement, it should place the Phase 1 proposed decision on the Commission agenda as soon as possible. A Phase 2 proposed decision also can be prepared quickly because the record is already complete. A Phase 3 prehearing conference should then be held to establish a schedule for testimony, hearings, briefing and the issuance of a proposed decision.

[25] ORA Petition for Modification of D. 14-11-040, August 11, 2015, at 2-3.

[26] Response of TURN to the Amended Petition for Modification of Decision 14-11-040 by the Alliance For Nuclear Responsibility, June 24, 2015.

Respectfully submitted,

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